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**EX PARTE**

February 19, 1999

**VIA HAND DELIVERY**

Magalie Salas, Esquire  
Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: EX PARTE Presentation in:

ET Docket No. 95-18 ✓  
IB Docket No. 96-132  
ICO Services Limited (File No. 188-SAT-LOI-97)  
Inmarsat Horizons (File No. 190-SAT-LOI-97)  
Iridium, LLC (File No. 187-SAT-P/LA-97 (96))  
Globalstar, L.P. (File No. 182-SAT-P/LA-97 (64) & 183 - 186-SAT-P/LA-97)  
Mobile Communications Holdings, Inc. (File No. 180-SAT-P/LA-97 (26))  
Constellation Communications, Inc. (File No. 181-SAT-P/LA-97)(46)  
TMI Communications and Company, L.P. (File No. 189-SAT-LOI-97).  
The Boeing Company (File No. 179-SAT-P/LA-97(16) & 90-SAT-AMEND-98)  
Celsat, Inc. (File No. 26/27/28-DSS-P/LA-97 & 88-SAT-AMEND-98)

Dear Ms. Salas:

Pursuant to Section 1.1206 of the Commission's Rules, you are hereby advised that F. Thomas Tuttle, Patricia A. Mahoney, Charles Rush, and David Siddall, representing Iridium LLC, met with Commissioner Susan Ness and Daniel Connors yesterday. That meeting included a discussion of options proposed by the International Bureau for assignment of spectrum to applicants in the 2 GHz Mobile Satellite Service ("MSS").

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The meeting addressed the options outlined by the International Bureau in a January 7, 1999 meeting with representatives of all of the 2 GHz MSS applicants. Iridium expressed its overriding concern that none of the options addresses the issue of how the entities that receive their space segment licenses from the U.S. (under any of the options) will be able to access 2 GHz spectrum in Europe. Iridium distributed documents that summarize two of the options outlined by the International Bureau and contrasted them to the European 2 GHz MSS band plan. These documents illustrate that no US-licensed 2 GHz MSS system will be able to access spectrum in the 2 GHz bands in Europe until at least the year 2005, which will have an adverse impact on the competitive market in the U.S. Iridium also distributed a copy of the recent Telecommunications Services Group Communiqué from the TransAtlantic Business Dialogue ("TABD") Charlotte Conference and discussed the urgent need for the FCC to address this issue with Europe through the formal harmonization process requested in the TABD Communiqué for GMPCS radio frequency assignments "to enable a fair competitive environment."

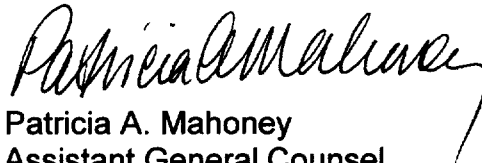
Iridium also urged the Commission to look beyond the 2 GHz bands and consider other MSS spectrum, including spectrum at issue in IB Docket No. 96-132, to accommodate all applicants and ensure a fair and competitive environment in which like MSS systems have access to like amounts of spectrum between 1 and 3 GHz.

Copies of this memorandum, and copies of the documents that were provided, are being submitted for each docket and application file number noted above.

Should any questions arise concerning this matter, please communicate directly with the undersigned.

Very truly yours,

IRIDIUM LLC



Patricia A. Mahoney  
Assistant General Counsel  
Regulatory and Trade Policy

Enclosure

cc (w/ encl): Hon. Susan Ness  
Regina M. Keeney  
Thomas S. Tycz  
Daniel Connors

## **THE 2 GHZ MSS BAND PLAN ADOPTED IN EUROPE**

- ◆ Required entities that want to use the 2 GHz band in Europe to have a fully operating system in these bands by January 1, 2001
- ◆ Addressed spectrum in the 1980-2010 MHz/2170-2200 MHz bands
  - Divides bands into two 15 MHz paired bands
    - **Upper Half 1995-2010/2185-2200 MHz assigned to ICO and Inmarsat Horizons**
      - **Existing users to vacate by January 1, 2000**
    - **Lower Half 1980-1995/2170-2185 MHz use "to be decided" (not necessarily to be used for MSS)**
      - **Existing users not required to vacate until January 1, 2005**

## Transatlantic Business Dialogue Charlotte Conference

### Telecommunications Services Group Communiqué

The U.S. and EU business communities strongly urge the U.S. and EU administrations to work together to actively promote the liberalization process in the future international telecommunications services marketplace. Only continuing liberalization will resolve the existing issues regarding the implementation of the WTO Basic Telecom Agreement, reform of the accounting rate system, convergence of markets and services, and access to markets and spectrum for satellites. The move from 'regulatory push' to 'market pull' is of major importance for a dynamic telecommunications market with high quality services and low user prices.

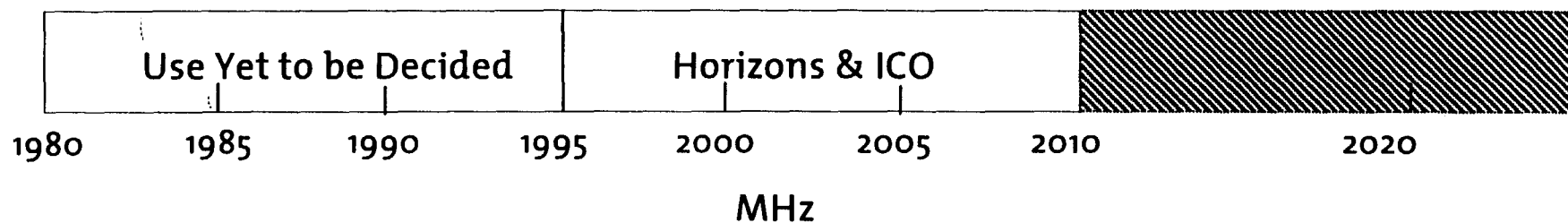
1. To facilitate trade and simplify cross-border traffic, fast and far-reaching implementation of the **WTO Telecom Basic Services Agreement** is vitally necessary, including the elimination of remaining arbitrary and artificial barriers to entry. An equally important goal should be the accession by countries not yet covered by the Agreement, among which are a number of key telecommunications markets. In the course of the **GATS 2000** negotiations further strengthening of commitments under the Telecom Basic Services Agreement should be a priority objective.
2. Ongoing efforts to reform the **accounting rate system** towards cost-orientation, transparency, and non-discrimination, as well as to develop means to assist developing countries in a smooth transition to a competitive marketplace, must be supported.
3. Converging markets should be governed by market forces only. International cooperation concerning **convergence** is desirable to eliminate regulatory barriers.
4. For the governments of the United States and the European Union to facilitate the early **implementation of GMPCS systems** by (1) establishing transparent and non-discriminatory regulatory arrangements that minimize the burden of market and spectrum access; (2) establishing a formal harmonization process for radio frequency assignments to enable a fair competitive environment; and (3) ensuring that the costs of service and spectrum licenses are based on recovery of administrative costs.

November 7, 1998

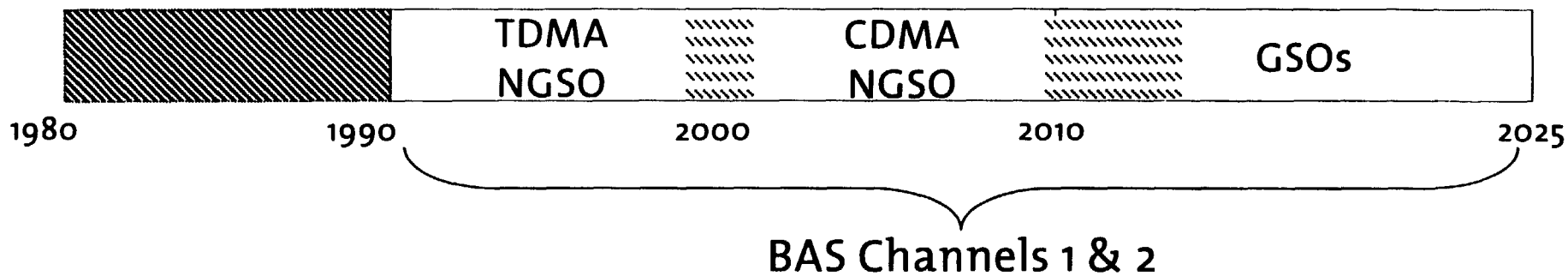


## 2 GHz MSS Uplink Band Assignments - Illustration

### European Band Plan



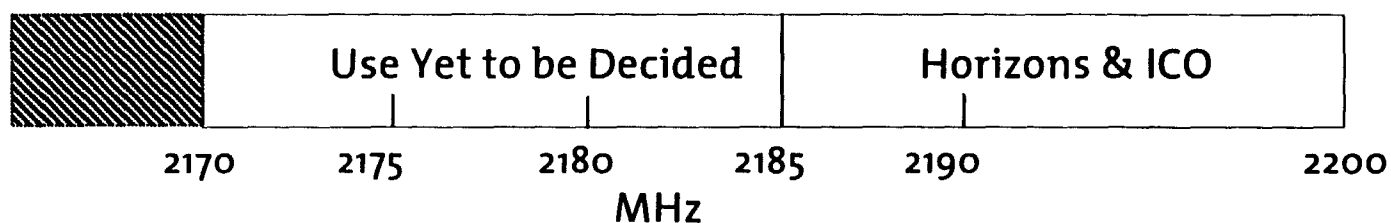
### FCC Options 1 & 2





## 2 GHz MSS Downlink Band Assignments - Illustration

### European Band Plan



### FCC Options 1 & 2

